

SECTION 3.334: PACIFIC CITY/WOODS HIGH DENSITY RESIDENTIAL ZONE (PCW-R3)

(1) **PURPOSE:** The purpose of the PCW-R3 zone is to designate areas for a medium to high-density mix of dwelling types and other, compatible, uses. The PCW-R3 zone is intended for densely-developed areas or areas that are suitable for high density urban development because of level topography and the absence of hazards, and because public facilities and services can accommodate a high level of use.

(2) **USES PERMITTED OUTRIGHT:** In the PCW-R3 zone, the following uses and their accessory uses are permitted outright, and are subject to all applicable supplementary regulations contained in this ordinance.

- (a) One, two, three, or four-family dwelling, including townhouses, rowhouses, and condominiums.
- (b) Mobile home subject to Section 5.090.
- (c) Farm and forest uses, excluding cultivation of marijuana.
- (d) Home occupations subject to provisions of Section 4.180. Home occupation signs shall be unlighted and limited to 2 square feet.
- (e) Public and private park and recreation areas.
- (f) Utility lines necessary for public service, water and sewage pump stations.
- (g) A mobile home or recreational vehicle used during the construction or placement of a use for which a building or placement permit has been issued.
- (h) Bed and Breakfast enterprise within an owner-occupied primary residence.
- (i) Signs subject to Section 4.020 except a sign shall not exceed 32 square feet identifying a multi-family dwelling or motel in the R-3 zone and a sign shall not exceed 30 square feet identifying a non-residential use such as the sale of farm produce, a golf course, or a place of worship.

(3) **USES PERMITTED CONDITIONALLY:** In the PCW-R3 zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all applicable supplementary regulations contained in this ordinance.

- (a) Mobile home not subject to Section 5.090, and mobile home parks.
- (b) Multifamily dwellings exceeding 4 units, including townhouses, row houses, condominiums, and apartments. A sign shall not exceed 32 square feet identifying a multi-family dwelling or motel in the PCW-R3 zone.
- (c) Planned Developments subject to Section 3.520, or Mixed Use Developments subject to Section 4.170. The number of attached single family dwelling units in a cluster shall be established in the Planned Development approval process and may exceed four units per cluster if it is

demonstrated that benefits in protection of natural conditions, better views, or access will be achieved by such clustering.

(d) Motels and hotels, limited to 100 units. Motels and hotels may include eating and drinking establishments accessory and subordinate to the lodging facility.

(e) Places of worship, colleges, and schools.

(f) Nonprofit community meeting buildings and associated facilities.

(g) Accessory structures and accessory uses without an on-site primary use, not to exceed 750 square feet in size or 24 feet in height.

(h) Swimming, tennis, racquetball or other similar facilities.

(i) Utility substation and power transmission lines.

(j) Rest homes, or nursing homes and assisted living.

(k) Fire, police, or ambulance stations.

(l) Towers for communications, wind energy conversion systems or structures having similar impacts.

(m) Water supply and treatment facilities.

(n) Temporary mobile kitchen units.

(o) Cottage industries. A sign shall not exceed 16 square feet identifying a cottage industry.

(p) A temporary real estate sales office.

(q) Mobile Home Park and Recreational campground.

(r) Foster family home accommodating six or more children or adults.

(s) Temporary placement of a mobile home or recreational vehicle to be used because of a health hardship, subject to Section 6.050.

(t) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.

(u) Home occupations subject to provisions of Section 4.180. Home occupation signs shall be unlighted and limited to 2 square feet.

(v) Signs exceeding size requirements in Section 3.334 (2)(i), subject to Section 4.020.

(4) STANDARDS: Land divisions and development in the R-3 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum size for lots shall be 5000 square feet.
- (b) The minimum lot width shall be 50 feet, except on a corner lot it shall be 60 feet.
- (c) The minimum lot depth shall be 75 feet.
- (d) The minimum front yard shall be 15 feet. For multifamily dwellings, the combination of front and rear yard setbacks shall be 30 feet, but neither shall be less than 10 feet.
- (e) The minimum side yard shall be 5 feet; on the street side of a corner lot it shall be no less than 15 feet.
- (f) The minimum rear yard shall be 20 feet; on a corner lot it shall be no less than 5 feet. For multifamily dwellings, the combination of front and rear yard setbacks shall be 30 feet, but neither shall be less than 10 feet; on a corner lot it shall be no less than 5 feet.
- (g) The maximum building height shall be 35 feet, except the maximum building height shall be 24 feet on ocean or bay frontage lots. Bay frontage lots are defined as those bay/river frontage lots located downstream from the Beachy Bridge (Pacific Avenue).
- (h) Livestock shall be located no closer than 100 feet to a residential building on an adjacent lot
- (i) Creation of new lots or parcels, and construction on existing lots or parcels, shall only be allowed if water availability and sewer service or adequate on-site sanitation are provided, as follows:
 - (1) Confirmation of water service availability from the water district, or evidence of an alternative functioning domestic water supply, shall be provided to the Department prior to approval of residential construction or other development requiring potable water.
 - (2) If sewer service is available, as defined in OAR 340-071-160(5)(f), hookup to the sewer system shall be required prior to approval of a building permit for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.
 - (3) If sewer service is not available, as defined in OAR 340-071- 160(5)(f), approval(s) for on-site sanitation disposal shall be required for:
 - (i) each lot or parcel prior to lot or parcel creation through partition or subdivision process; in some cases on-site sanitation may require larger lot sizes than the minimum allowed by the zone;
 - (ii) building permit approval for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.

(j) New uses authorized within the community growth boundary shall not adversely affect farm or forest management practices conducted in accordance with federal and state laws. Authorization to create a parcel or construct a dwelling adjacent to land zoned for farm or forest use shall require a notarized declaratory statement signed by all current property owners who appear on the property deed or contract. This statement shall serve as a covenant that runs with the land binding heirs, assigns, lessees and successors. This covenant shall affirm that residents of the parcel may be subject to farm or forest management practices conducted in accordance with federal and state laws which ordinarily and necessarily produce noise, dust, smoke and other impacts. Those signing the statement acknowledge that they “do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling in this area, and acknowledge the need to avoid activities that conflict with nearby farm or forest uses.” The signed and notarized covenant must be approved by the County Planning Director or representative thereof and recorded with the Tillamook County Clerk.